

Introduced by Senator Wieckowski

February 27, 2015

An act to amend Section 326 of the Business and Professions Code, relating to consumer complaints.

LEGISLATIVE COUNSEL'S DIGEST

SB 729, as introduced, Wieckowski. Consumer complaints.

The Consumer Affairs Act requires the Director of the Department of Consumer Affairs to administer and enforce that act to protect and promote the interests of consumers regarding the purchase of goods or services. The director, upon receipt of a consumer complaint relating to specified violations, is required to forward any valid complaint to the local, state, or federal agency whose authority provides the most effective means to secure the relief. The act requires the director to advise the consumer of the action taken on the complaint, as appropriate, and of any other means that may be available to the consumer to secure relief.

This bill would make nonsubstantive changes to those consumer complaint provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 326 of the Business and Professions Code
- 2 is amended to read:
- 3 326. (a) Upon receipt of ~~any~~ a complaint pursuant to Section
- 4 325, the director may notify the person against whom the complaint

1 is made of the nature of the complaint and may request appropriate
2 relief for the consumer.

3 (b) (1) The director shall also transmit any valid complaint to
4 the local, ~~state~~ *state*, or federal agency whose authority provides
5 the most effective means to secure the relief.

6 ~~The~~

7 (2) *The* director shall, if appropriate, advise the consumer of
8 the action taken on the complaint and of any other means ~~which~~
9 *that* may be available to the consumer to secure relief.

10 (c) If the director receives a complaint or receives information
11 from any source indicating a probable violation of any law, rule,
12 or order of any regulatory agency of the state, or if a pattern of
13 complaints from consumers develops, the director shall transmit
14 any complaint he or she considers to be valid to any appropriate
15 law enforcement or regulatory agency and any evidence or
16 information he or she may have concerning the probable violation
17 or pattern of complaints or request the Attorney General to
18 undertake appropriate legal action. It shall be the continuing duty
19 of the director to discern patterns of complaints and to ascertain
20 the nature and extent of action taken with respect to the probable
21 violations or pattern of complaints.